

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DONALD RAY CUNNINGHAM

PLAINTIFF

v.

Civil No. 04-5298

OFFICER KERN, an officer of the
Washington County Sheriff's Office/
Detention Center, LEE OWEN, Sheriff,
Washington County Sheriff's Department,
OFFICER STRAIN, an officer of the
Washington County Sheriff's Office/
Detention Center; RHONDA BRADLEY,
Nurse at the Washington County
Detention Center, and SGT REESER,
investigating officer

DEFENDANTS

O R D E R

Now on this 17th day of July, 2006, comes on for
consideration the **Magistrate Judge's Report and Recommendation**
(document #26), in this matter, to which no objections have been
filed, and the Court, having carefully reviewed said Report and
Recommendation, finds that it is sound in all respects, and that
it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report
and Recommendation is adopted in toto.**

IT IS FURTHER ORDERED that, for the reasons stated in the
Magistrate Judge's Report and Recommendation, the defendant's
Motion for Summary Judgment is hereby **granted and this case
dismissed.**

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE